

Legal Services Poverty Grants Program

Contributing to Meet the Civil Legal Needs of Low-income Iowans

The Legal Services Poverty Grants Program provides funding for the essential governmental function of making Iowa's court system more available to low-income people faced with civil legal problems and contributing to the strengthening of families and promoting public safety for thousands of clients each year who cannot afford to hire a lawyer.

The Legal Services Grants Program provides crucial state funding to support Iowa's two primary civil legal assistance providers the Legal Services Corporation of Iowa and the Legal Aid Society of Polk County. Services are provided to residents of all 99 counties, through offices located in Cedar Rapids, Council Bluffs, Davenport, Des Moines, Dubuque, Iowa City, Mason City, Sioux City, Ottumwa and Waterloo. The attorneys working in these offices provide for the civil legal needs of low-income individuals and families when there is no other means to obtain legal help.

To be eligible, clients must have limited income based on the federal poverty level. Due to limited staff, clients must also have a legal problem that falls within priorities established by each program's Board of Directors. The legal problems confronted by low-income people and handled by legal aid programs, often have grave consequences if not addressed and impact upon the basic necessities of life including housing, health care, food, freedom from abuse, and protection from being victimized in consumer matters.

Iowa's legal aid programs close over 20,000 cases per year benefitting over 49,000 Iowans, one-half of which are children. The people served and the services provided include:

- X Over 70% of cases closed each year involve women as the primary client. Many reside in single parent households and are helped to escape domestic violence or to achieve a higher level of self-sufficiency.
- X Approximately 35% of cases involve family law matters with most involving domestic abuse.

In one such case, a client's husband had hit her and thrown her down in front of their children. She still had bruises on her face when she was represented at a hearing two weeks later. With the help of a legal aid lawyer, she obtained a one-year restraining order, custody of the children and the husband was required to enter a batterer's education program.

- ⊖ Nearly 20% of the clients served are older Iowans, the majority of whom are women.

Recently, a senior who lived on a fixed income was removed from the elderly waiver program because a determination was made that she no longer needed these services which included Lifeline and Meals on Wheels. The removal of these services made it very difficult for the client to care for

herself and she worried about her medical problems and what would happen to her if she needed emergency care. A Legal Aid lawyer helped the client to file an appeal and got delivery of her meals reinstated. The client is now receiving the services she needs to live independently in her home.

- X Approximately 10% of cases involve income support programs, with most of the cases involving applications for Supplemental Security Income (SSI) or Social Security Disability benefits.

Typical of this type of case was one involving a 53 year old man who had been denied SSI. The man suffers from insulin dependent diabetes with blurred vision and neuropathy, coronary artery disease, unstable angina, hypertension, history of myocardial infarction, and other degenerative musculoskeletal disorders. A Legal Aid lawyer represented him before an Administrative Law judge and was able to get the denial of benefits reversed.

- X The remaining cases involve consumer, housing and individual rights issues.
- X Most of the cases handled by Legal Aid lawyers, involve state law issues in state court or before state administrative agencies.

Funding for the Legal Services Poverty Grants Program began in 1996, when federal Legal Services Corporation funding was cut from \$415 million to \$273 million nationally. In Iowa, federal funding for Legal Services was reduced by one-third, or \$1 million, effective January 1, 1996. The General Assembly appropriated funding to the Legal Services Grants Program in the amount of \$950,000 in 1996. Current fiscal year funding stands at \$554,901.

On January 1, 2003, the Legal Services Corporation will begin using 2000 census figures for calculating grants to states. The 2000 census figures report that there has been a shift in the proportion of low-income people from the upper Midwest to states like California, Florida and Nevada. As a result of this funding formula and the fact that Legal Services Corporation funding has remained stagnant at \$329 million, Iowa's Legal Services programs are facing the loss of over 20% of their Legal Services Corporation funding or about \$556,000. At the same time, because of low interest rates on bank accounts, funding from the Interest on Lawyers Trust Account Commission (IOLTA) was also reduced by 5% on July 1, 2002, with additional reductions expected for the fiscal year beginning July 1, 2003.

Loss of state funding, combined with new reductions in federal and IOLTA funding will result in Iowa's legal aid programs having to close one or two offices or reducing services to over 5,000 households. These funding cuts will result in significant reductions in service to low-income Iowans and reduce access to the legal system to the over 250,000 low-income people who depend on legal aid to make our nation's promise of equal justice under the law a reality.

